

08-MJ-2414  
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UNITED STATES DISTRICT COURT  
CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JIMMY WARREN MILLER,

Defendant.

MAGISTRATE CASE NO. DEPUTY

COMPLAINT FOR VIOLATION OF:

Title 18 U.S.C. § 2252(a)(4)(B) -  
Possession of images of children engaged in  
sexually explicit conduct

Title 26 U.S.C. § 5861(c) – Unlawful Receipt  
and Possession of a Prohibited Firearm

The undersigned Complainant, being duly sworn, states:

Count 1

On or about May 19, 2008, within the Southern District of California, defendant JIMMY WARREN MILLER, did knowingly possess one or more matters, that is, computer hard drive(s) and computer media containing digital and computer images which contained visual depictions, that had been mailed, shipped and transported in interstate and foreign commerce, and which were produced using materials which have been mailed, shipped and transported in interstate and foreign commerce, by any means including by computer, the production of which involved the use of a minor engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and which visual depictions were of such conduct; in violation of Title 18, United States Code, Section 2252(a)(4)(B).

Count 2

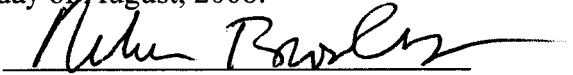
On or about May 19, 2008, within the Southern District of California, defendant JIMMY WARREN MILLER did knowingly receive and possess a firearm, to wit: one (1) Norinco Model 99, 12 gauge firearm (serial no. SW003196), made in violation of chapter 53 of Title 26; in violation of Title 26, United States Code, Sections 5822, 5845, 5861(c), and 5871.

1 And the complainant states that this complaint is based on the attached Statement of Facts  
2 incorporated herein by reference.



Chris Christopherson  
Special Agent, FBI

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5 Sworn to me and subscribed in my presence this 4<sup>th</sup> day of August, 2008.



UNITED STATES MAGISTRATE JUDGE

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9 **STATEMENT OF FACTS**

10 I am a Special Agent employed by the Federal Bureau of Investigation and have been so  
11 employed for approximately four years. I am currently assigned to the FBI's San Diego Division.  
12 Prior to November 2007, I was assigned to the FBI's New Orleans Division. I am currently assigned  
13 to a Cyber Squad and investigate matters relating to computers and the Internet and have been so  
14 assigned since 2004. As part of my duties, I investigate criminal violations relating to child  
15 exploitation and child pornography including violations pertaining to the illegal production,  
16 distribution, receipt, and possession of child pornography, in violation of 18 U.S.C. §§ 2251 and  
17 2252(a). This complaint is based on my own investigation as well as information received from other  
18 law enforcement officers.  
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21 In August 2006, FBI in New Orleans obtained a search warrant for a commercial child  
22 pornography website that offered images of child engaged in sexually explicit conduct on the website  
23 called "www.supernewsite.com". Individuals could subscribe to the website for \$79.99 for 20 days.  
24 The search warrant revealed subscribers of that website made payments through another website  
25 called www.pirmel.net. Another search warrant was obtained for the pirmel.net website which  
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1 provided the email addresses for those individuals who made payment. One such person was Jim  
2 Miller using an email address of chpprplt@aol.com with an address on 6550 Ponto Drive in  
3 Carlsbad, California.

4 In October 2007, in an undercover capacity, I sent Jim Miller an email offering a free trial  
5 membership to a purported child pornography website which offered "no kiddys over 14". The email  
6 stated that the person interested in the website should click on the attached link. The person  
7 controlling the email account chpprplt@aol.com clicked on the attached link 16 times between  
8 October 25, 2007 and October 31, 2007. The IP addresses of the person clicking in the link came  
9 back to Jim Miller, 6550 Ponto Drive #86, Carlsbad, California.  
10

11 Based upon the information obtained listed above, a federal search warrant was executed on  
12 May 19, 2008 on the residence located at 6550 Ponto Drive #86, Carlsbad. During the execution of  
13 the search warrant, what appeared to be a sawed-off double barrel shotgun was found in Miller's  
14 residence. The firearm was a Norinco, Model 99, 12 gauge with serial no. SW003196. The barrel  
15 length was 13.25 inches. In the same case lying under the sawed-off shotgun, there was what  
16 appeared to be the portion of the barrel that was sawed off. In addition to the sawed-off shotgun, a  
17 computer was seized.  
18

19 Hours after executing the search warrant, I contacted Miller by telephone and attempted to  
20 arrange an interview. During the telephonic conversation, Miller told me that he knew the  
21 sawed-off shotgun was illegal. Agents met with Miller at the Chevron gas station in Carlsbad later  
22 that day. The entire in-person interview was audio recorded. During the interview at the  
23 Chevron, Miller again acknowledged that the sawed-off shotgun was illegal.  
24

25 Miller also admitted to purchasing, receiving, and possessing child pornography. Miller  
26 admitted that he would use search terms indicative of child pornography to locate child pornography  
27  
28

1 websites. Miller admitted that on more than one occasion he purchased memberships to child  
2 pornography websites.

3 I reviewed the forensic report of Miller's computer and a CD that was in the computer's CD  
4 drive, and I searched for images depicting child pornography. I found 1,281 images of  
5 prepubescent children engaged in sexually explicit conduct, 69 images of pubescent children  
6 engaged in sexually explicit conduct, and 144 videos of children engaged in sexually explicit  
7 conduct.  
8

9 Below is a description of five videos/images Miller had on his computer:

- 10 (1) CAT.SWF - A white female, approximately six years old is nude, bound to a wire bed  
11 frame with her legs spread. There is some food/liquid near the child's genitalia and  
12 a cat licking the substance from the child's genitalia area.  
13 (2) 02.wmv - A white female, approximately seven years old (face not visible) is being  
14 vaginally penetrated by an adult male until he ejaculates.  
15 (3) Vicky\_sweetchildofmine.swf - a white female, approx. eight years old on her knees,  
16 with bound hands and a leash around her neck which is controlled by an adult male.  
17 The male places his penis in her mouth while holding onto the leash.  
18 (4) polvo%2520con%2520chib.jpg - a white female, approx. ten years old being  
19 vaginally penetrated by an adult white male.  
20 (5) 111.jpg - a white female, approx. ten years old wearing a blue shirt straddling an adult  
21 male while he is vaginally penetrating her. Next to the female child is a  
22 prepubescent male who is orally penetrating the female.  
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Chris Christopherson  
Special Agent, FBI